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PATENT TRADEMARK OFFICE

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Typed or Printed Name of Person Signing this Certificate:

Wendy A. Frick

Signed:

Wendy A. Frick

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Galloway, et al.

Serial No.: 09/747,521

Filed: December 21, 2000

For: **METHODS FOR PROTECTION
AGAINST LETHAL INFECTION
WITH *BACILLUS ANTHRACIS***

Examiner: Not yet assigned

Group Art Unit: 1645

Attorney Docket No.: 22727/04079

Assistant Commissioner for Patents
Box Missing Parts
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

Dear Sir:

In response to the Notice to File Missing Parts dated March 6, 2001, applicants respectfully submit the enclosed executed Declaration and Power of Attorney, substitute Abstract which does not exceed 150 words in length, Statement Regarding Sequence Listing, paper copy of Sequence Listing and a Computer Readable Form (CRF) of the Sequence Listing. Applicants filed the above-described application and affirmatively asserted small entity status by checking the appropriate box on the application cover sheet. The Patent Office has requested in the above-referenced Notice to File Missing Parts that Applicants provide a small entity statement in order to qualify for the reduced small entity fee, or alternatively pay the large entity fee. According to the amended rule relating to small entities, 37 C.F.R. §1.27, effective September 08, 2000, Applicants are not required to provide a small entity statement in order to properly claim small

entity status. Applicants are enclosing checks for \$420.00 as payment of the basic application filing fee and the appropriate surcharge and \$170.00 as payment of the additional claims fees. Applicants believe that no further action is required to satisfy the filing requirements in connection with the above-described application. A copy of the Notice to File Missing Parts received from the Patent Office is also enclosed.

If additional fees are required please charge them to our Deposit Account No. 03-0172. Please credit any overpayment to same Deposit Account. A duplicate of this paper is attached.

Respectfully submitted,

Date: April 24 2001

Pamela A. Docherty
Pamela A. Docherty, Reg. No. 40,591
(216) 622-8416



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/747,521	12/21/2000	Darrel R. Galloway	22727/04079

24024
CALFEE HALTER & GRISWOLD, LLP
800 SUPERIOR AVENUE
SUITE 1400
CLEVELAND, OH 44114

CONFIRMATION NO. 9991

FORMALITIES LETTER



OC000000005829211

Date Mailed: 03/06/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$340.

<ul style="list-style-type: none"> \$180 for 10 total claims over 20. \$160 for 2 independent claims over 3. 	04/27/2001 KDENESS1 00000051 09747521 01 FC:201 355.00 OP 02 FC:205 65.00 OP 03 FC:202 60.00 OP 04 FC:203 90.00 OP
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- The oath or declaration is missing.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1180.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- An Abstract not to exceed 150 words in length, commencing on a separate sheet (37 CFR 1.72(b)).
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal

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C.J.L. I.P. DEPT.